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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,458	08/20/2003	Preston F. Crow	EMC-99-026CON1	5940

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EMC CORPORATION
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EXAMINER

LY, ANH

ART UNIT	PAPER NUMBER
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2162

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/644,458

Applicant(s)

CROW ET AL.

Examiner

Anh Ly

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 3,7-12 and 15 is/are withdrawn from consideration.
- 5) ☒ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 4-6, 13-14 and 16 is/are rejected.
- 7) ☒ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is response Applicants' AMENMENT filed on 03/13/2007.
2. Claims 1-2, 4-6, 13-14 and 16 are pending in this Application.

Response to Arguments

3. Applicant's arguments filed 03/13/2007 have been fully considered but they are not persuasive.

Applicants argued that "Soltis does not teach or suggest the "field to indicate whether the extent is an indirect extent, a hole extent or a direct extent." (page 5, 3rd paragraph, page 6, 4th paragraph and page 7, 5th paragraph of the REMARKS dated 03/13/2007).

Soltis teaches each extent may address several consecutive device data blocks and each extent includes a flag or a field to indicate the type of that extent (sections 0079-0083). The addressing of real data is information for data block pointed to by an extent, that is an empty file has a file size of zeroes, also for allocating or de-allocation files (sections 0082 and 0090), verifying the consistency of each extent by checking for extent flags (sections 0104, 0127 and see table 1 on page 9).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 1-2, 4-6, 13-14 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Background of the invention of this Application Specification and Fig. 1 (hereinafter as Background and Fig. 1) in view of Pub. No.: US 2004/0133570 A1 of Soltis.

With respect to claim 1, Background and Fig. 1 teaches a memory storage device having an operating system which uses at least one inode for accessing file segments (UNIX Operating System, an computer system storing a sequence

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of file segments and each file segment occupies a consecutive sequence of physical storage blocks and I-nodes: see Fig.1 (Prior Art)), the inode comprising:

a plurality of rows (Fig.1, I-node 1 and I-node 2, each has a plurality of rows or extents); and

a portion of the rows storing extents pointing to data blocks (the storage addresses of the segments by an address pointer and a length. The address pointer indicates the physical address of the data block (see blocks 55-58, and block 97).

Background and Fig. 1 teaches a file system that UNIX operating systems employs to translate between abstract file names and physical storage addresses. The consecutive extents of each I-node correspond to consecutive file segments and indicate the storage addresses of the segments by an address pointer and a length. And each I-node comprises a plurality of rows or extents. Background and Fig. 1 does not clearly teach each extent having a field to indicate whether the extent is an indirect extent, a hole extent or a direct extent.

However, Soltis teaches each extent may address several consecutive device data blocks and each extent includes a flag or a field to indicate the type of that extent (sections 0079-0083).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Background and Fig. 1 with the teachings of Soltis. One having ordinary skill in the art would have found it motivated to utilize the use of the field or flag indicating the type of extent for each extent extents as disclosed (Soltis' section 0079), into the system

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of Background and Fig. 1 for maximize storage efficiency of a memory storage system device, thereby, providing a file system for network data servers that is specifically designed to efficiently and reliably control the storage and access of remote files on remote secondary storage system, and can provide for the flexibility to support future developments that will increase the speed and usage of distributed computer network environment (Soltis's sections 0005-0007 and 0021-0023).

With respect to claims 2 and 4, Background and Fig. 1 teaches a memory storage device having an operating system as discussed in claim 1.

Background and Fig. 1 teaches a file system that UNIX operating systems employs to translate between abstract file names and physical storage addresses. The consecutive extents of each I-node correspond to consecutive file segments and indicate the storage addresses of the segments by an address pointer and a length. And each I-node comprises a plurality of rows or extents. Background and Fig. 1 does not clearly teach wherein each I-node is adapted to allow any portion of extents sorted therein to be indirect extents and the number of data blocks pointed to indirect extent.

However, Soltis teaches direct and indirect extents and data blocks (indirect extent pointer: sections 0126-0127 and see page 11, claim 50 and section 0010).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Background and Fig. 1 with the teachings of Soltis. One having ordinary skill in the art would

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have found it motivated to utilize the use of the field or flag indicating the type of extent for each extent extents as disclosed (Soltis' section 0079), into the system of Background and Fig. 1 for maximize storage efficiency of a memory storage system device, thereby, providing a file system for network data servers that is specifically designed to efficiently and reliably control the storage and access of remote files on remote secondary storage system, and can provide for the flexibility to support future developments that will increase the speed and usage of distributed computer network environment (Soltis's sections 0005-0007 and 0021-0023).

With respect to claim 5, Background and Fig. 1 teaches an automated method of storing data files in a memory storage system (UNIX Operating System, an computer system storing a sequence of file segments and each file segment occupies a consecutive sequence of physical storage blocks and I-nodes: see Fig.1 (Prior Art)), the inode comprising:

assigning an I-node to a data file to be stored and writing a plurality of extents in the I-node, each extent pointing to a string of one or more data blocks for storing a segment of the data file (Fig.1, I-node 1 and I-node 2, each has a plurality of rows or extents; and the storage addresses of the segments by an address pointer and a length. The address pointer indicates the physical address of the data block (see blocks 55-58, and block 97).

Background and Fig. 1 teaches a file system that UNIX operating systems employs to translate between abstract file names and physical storage addresses. The consecutive extents of each I-node correspond to consecutive

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file segments and indicate the storage addresses of the segments by an address pointer and a length. And each I-node comprises a plurality of rows or extents.

Background and Fig. 1 does not clearly teach each extent having a field to indicate whether the extent is an indirect extent, a hole extent or a direct extent.

However, Soltis teaches each extent may address several consecutive device data blocks and each extent includes a flag or a field to indicate the type of that extent (sections 0079-0083).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Background and Fig. 1 with the teachings of Soltis. One having ordinary skill in the art would have found it motivated to utilize the use of the field or flag indicating the type of extent for each extent as disclosed (Soltis' section 0079), into the system of Background and Fig. 1 for maximize storage efficiency of a memory storage system device, thereby, providing a file system for network data servers that is specifically designed to efficiently and reliably control the storage and access of remote files on remote secondary storage system, and can provide for the flexibility to support future developments that will increase the speed and usage of distributed computer network environment (Soltis's sections 0005-0007 and 0021-0023).

With respect to claim 6, Background and Fig. 1 teaches a memory storage device having an operating system as discussed in claim 1.

Background and Fig. 1 teaches a file system that UNIX operating systems employs to translate between abstract file names and physical storage

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addresses. The consecutive extents of each l-node correspond to consecutive file segments and indicate the storage addresses of the segments by an address pointer and a length. And each l-node comprises a plurality of rows or extents. Background and Fig. 1 does not clearly teach replacing each of a plurality of the direct extents by at least one indirect extent pointing to a data block and writing to each data block pointed to by one the indirect extents the direct extent that is replaced by the one indirect extents.

However, Soltis teaches direct and indirect extents and data blocks (indirect extent pointer: sections 0126-0127 and see page 11, claim 50 and section 0010).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Background and Fig. 1 with the teachings of Soltis. One having ordinary skill in the art would have found it motivated to utilize the use of the field or flag indicating the type of extent for each extent extents as disclosed (Soltis' section 0079), into the system of Background and Fig. 1 for maximize storage efficiency of a memory storage system device, thereby, providing a file system for network data servers that is specifically designed to efficiently and reliably control the storage and access of remote files on remote secondary storage system, and can provide for the flexibility to support future developments that will increase the speed and usage of distributed computer network environment (Soltis's sections 0005-0007 and 0021-0023).

With respect to claim 13, Background and Fig. 1 teaches a plurality of data storage device, each operating system including an extent based file system for abstracting file names to physical data blocks in the storage device, wherein each extent includes a field to indicate whether the extent points to a block of extents or a block of data (Fig.1, I-node 1 and I-node 2, each has a plurality of rows or extents; and the storage addresses of the segments by an address pointer and a length. The address pointer indicates the physical address of the data block (see blocks 55-58, and block 97).

Background and Fig. 1 teaches a file system that UNIX operating systems employs to translate between abstract file names and physical storage addresses. The consecutive extents of each I-node correspond to consecutive file segments and indicate the storage addresses of the segments by an address pointer and a length. And each I-node comprises a plurality of rows or extents. Background and Fig. 1 does not clearly teach a global cache memory and each extent having a field to indicate whether the extent is an indirect extent, a hole extent or a direct extent.

However, Soltis teaches cache memory (fig. 2 and sections 0007, 0025 and 0063) and each extent may address several consecutive device data blocks and each extent includes a flag or a field to indicate the type of that extent (sections 0079-0083).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Background and Fig. 1 with the teachings of Soltis. One having ordinary skill in the art would

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have found it motivated to utilize the use of the field or flag indicating the type of extent for each extent extents as disclosed (Soltis' section 0079), into the system of Background and Fig. 1 for maximize storage efficiency of a memory storage system device, thereby, providing a file system for network data servers that is specifically designed to efficiently and reliably control the storage and access of remote files on remote secondary storage system, and can provide for the flexibility to support future developments that will increase the speed and usage of distributed computer network environment (Soltis's sections 0005-0007 and 0021-0023).

With respect to claims 14 and 16, Background and Fig. 1 teaches a memory storage device having an operating system as discussed in claim 13.

Background and Fig. 1 teaches a file system that UNIX operating systems employs to translate between abstract file names and physical storage addresses. The consecutive extents of each I-node correspond to consecutive file segments and indicate the storage addresses of the segments by an address pointer and a length. And each I-node comprises a plurality of rows or extents. Background and Fig. 1 does not clearly teach wherein each operating system is adapted to map files to data blocks by assigning an I-node to a file, each I-node capable of storing a plurality of extents and each operating system being a Unix based system.

However, Soltis teaches Unix based operating system and data blocks and a list of extents that address data blocks (sections 0079, 0010, 0095 and 0037).

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Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the teachings of Background and Fig. 1 with the teachings of Soltis. One having ordinary skill in the art would have found it motivated to utilize the use of the field or flag indicating the type of extent for each extent extents as disclosed (Soltis' section 0079), into the system of Background and Fig. 1 for maximize storage efficiency of a memory storage system device, thereby, providing a file system for network data servers that is specifically designed to efficiently and reliably control the storage and access of remote files on remote secondary storage system, and can provide for the flexibility to support future developments that will increase the speed and usage of distributed computer network environment (Soltis's sections 0005-0007 and 0021-0023).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

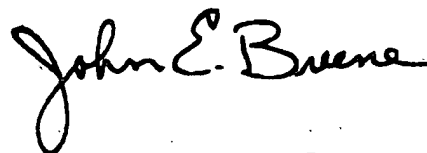
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Contact Information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to An Ly whose telephone number is **(571) 272-4039** or via **fax number: (571) 273-4039 (Examiner's fax number)** or e-mail address: **(with your authorization by written statements) anh.ly@uspto.gov**. The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Breene**, can be reached on (571) 272-4107.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see **<http://pair-direct.uspto.gov>**. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to: **Central Fax Center: (571) 273-8300**

ANH LY 
MAR. 29th, 2007



JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100